



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 2402345
Applicant Name: Craig Knebel
Address of Proposal: 3498 W. Blaine St.

SUMMARY OF PROPOSED ACTION

Master Use Permit to construct a two story single family residence with an attached garage.

The following approval is required:

Variance – To allow structure to exceed allowed lot coverage (allowed 35%: 2,106 sq. ft., proposed 38.26%; 2,302 sq. ft.). Seattle Municipal Code Section 23.44.010C.*

*The original proposal included the two car garage and an attached carport. The notice of application included a variance to exceed the maximum allowed rear yard lot coverage and a variance to construct a portion of the garage in the side yard. The plans have been revised and the new proposed carport has been removed from the plans. The rear yard lot coverage variance is no longer needed and the applicant has agreed to move the garage in order to meet the five foot setback required for any portion of the structure that is constructed beyond 35' from the center line of the alley. The revised proposal requires a variance for lot coverage only.

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or
involving another agency with jurisdiction.

BACKGROUND DATA

Subject Site and Vicinity

The proposal is located in a Single Family 5000 zone in the Magnolia neighborhood. The proposed site is a 6,017 sq. ft. (including one-half the width of the abutting alley) parcel located on the north side of West Blaine Street on the westerly portion of this block. The lot slopes gently from the north to the south. The site abuts a 20' wide platted alley but appears to be paved at 15'. The site is within an established single family neighborhood where most residences along West Blaine and 35th Avenue West have one or two car garages adjacent to this alley.

The zoning to the east, north and west is Single Family 5000. To the south the zoning changes to Single Family 7200.

Proposal Description

The applicant proposes to construct a detached, one story, and 532 sq. ft. two car garage.

Public Comment

The comment period ended May 19, 2004. Written comments received contained concerns of size of the structure, ability to maneuver safely into the alley, change in water table and drainage problems as a result of additional construction in the neighborhood.

ANALYSIS - VARIANCE

Variances from the provisions or requirements of the Land Use Code shall be authorized only when all of the following facts and conditions are found to exist:

1. *Because of unusual conditions applicable to the subject property including size, shape, topography, location or surroundings, which were not created by the owner or applicant, the strict application of this Land Use Code would deprive the property of rights and privileges enjoyed by other properties in the same zone or vicinity; and*

The site currently contains a two-story single family residence with two to four foot eaves projecting from the structure. A covered area described as a carport in a previous permit covers approximately 382 sq. ft. The existing carport could have possibly been enclosed prior to the addition but would not be wide enough for two vehicles (approximately 17 feet from the posts on the easterly side to the westerly edge of the parking space within the carport). A permit was obtained to enclose a small portion of this carport structure in January of 2004 to increase the floor area of the residence. The overhang from the remainder of the carport was not removed as part of the permit. A portion of the remaining carport will be removed although the applicant wishes to keep a portion for weather protection. The remaining carport area will amount to approximately 147 sq. ft. of lot coverage less 18"

for eaves and gutters. The proposed garage addition will cover approximately 532 sq. ft. of lot area. Because the existing structure has eaves that project from two feet to four feet from the structures, the applicant has less area to work with (in terms of lot coverage limitations) to construct a two car garage that is common in this neighborhood. The strict application of the Land Use Code would deprive the property of rights and privileges (two car garage) enjoyed by other properties in the same zone or vicinity.

2. *The requested variance does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located; and*

During a visit to the site it was observed that the majority of the existing residences abutting this alley along West Blaine Street and West Howe Street have attached or detached garages. Out of the 22 houses observed 18 contained two car garages.

The applicant was unable to provide information showing that lot coverage was exceeded in the neighborhood. Review of many permits within the area showed that lot coverage was not exceeded through variance in any of the addresses researched. Two of the addresses researched (3494 W. Blaine Street and 3011 W. Howe St.) exceeded the lot coverage requirements because they were built at a time when different land use regulations were in effect.

The Land Use and Zoning code requires that parking spaces be 8' by 16' for residential uses, with five feet from the centerline of the car allowed for door openings on the side where there is a permanent fixture such as a wall. Each space within the garage is required to be at least 9' wide by 16' deep. Based on these standards, the minimum size necessary (indoor clearance) for a garage is 18' in width by 16' in depth for two cars with no obstructions between the vehicle spaces.

The requested variance does go beyond the necessary to afford relief as the applicant is proposing an approximate 24' by 22' with a small 2.5' by 4' covered cutout at the entrance and a covered trash and 2.5' by 4' foot covered garbage and recycle area. Although an 18' by 16' (interior dimensions) garage would be the absolute minimum necessary to afford relief, it would be a tight fit. A 20' by 20' garage will provide additional area in depth and additional area for door openings. This will result in a garage that exceeds the lot coverage by 64 sq. ft. rather than the 196 sq. ft. proposed (per the calculations on the plans submitted by the applicant).

As conditioned, the variance will not be a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located as most of the lots along this alley have two car garages.

3. *The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located; and*

With the exception of lot coverage, the proposed lot will meet all development standard provisions for lots in the single family zone. Therefore, granting the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located.

4. *The literal interpretation and strict application of the applicable provisions or requirements of this Land Use Code would cause undue hardship or practical difficulties; and*

The strict application of the Land Use Code would cause undue hardship as the applicant would not be able to enjoy a two car garage which is common within this neighborhood.

5. *The requested variance would be consistent with the spirit and purpose of the Land Use Code regulations for the area.*

The purpose of the Land Use Code is to protect and promote public health, safety and the general welfare through a set of regulations and procedures for the use of land. Procedures are established to increase citizen awareness of land use activities and their impacts and to coordinate necessary review processes. These provisions are designed to provide adequate light, air, access, and open space.

The spirit and purpose of the Land Use Code also assumes flexibility as an important directive to allow the owners of property in single family areas maximum use and enjoyment of their land. The granting of the variance will not adversely affect the physical characteristics of the use of the surrounding neighborhood. The granting of the variance to allow a two car garage would be consistent with the spirit and purpose of the Land Use Code and should be granted with conditions.

DECISION - VARIANCE

The proposed action is **GRANTED WITH CONDITIONS.**

Prior to Issuance of the Building Permit

1. The applicant shall revise the plans to reduce the size of the proposed garage to 20' by 20'.

Non Appealable Condition

1. The applicant shall revise the plans to show that any portion of the structure (except 18" for eaves and gutters) that extends beyond 35' from the centerline of the alley is set back 5' from the side lot line.

Signature: (signature on file) Date: January 6, 2005
Lori Swallow, Land Use Planner

LS:bg